

This Page Is Inserted by IFW Operations
and is not a part of the Official Record

BEST AVAILABLE IMAGES

Defective images within this document are accurate representations of the original documents submitted by the applicant.

Defects in the images may include (but are not limited to):

- BLACK BORDERS
- TEXT CUT OFF AT TOP, BOTTOM OR SIDES
- FADED TEXT
- ILLEGIBLE TEXT
- SKEWED/SLANTED IMAGES
- COLORED PHOTOS
- BLACK OR VERY BLACK AND WHITE DARK PHOTOS
- GRAY SCALE DOCUMENTS

IMAGES ARE BEST AVAILABLE COPY.

As rescanning documents *will not* correct images,
please do not report the images to the
Image Problem Mailbox.

REMARKS

An Office Action was mailed on December 18, 2002. Claims 171-200 are pending in the present application.

CHANGE OF CORRESPONDENCE INFORMATION

Applicant is submitting herewith a Sub-Power of Attorney and Change of Correspondence forms. All future correspondence in this matter should be directed to Customer Number 026304 at **Katten Muchin Zavis Rosenman, 575 Madison Avenue, New York, New York, 10022-2585, Phone: (212) 940-8800, Fax: (212) 940-8776**. The attorney docket number has also changed to **2741/FBR (031035-87549)**, and it is respectfully requested that the Examiner update such information in the PALM system.

OBJECTION TO THE CLAIMS

Claims 178 and 180 are objected to because claim 178 has an erroneous number "15" and claim 180 has an erroneous comma. Responsive thereto, Applicant has amended claims 178 and 180 to overcome such objections.

Accordingly, it is respectfully requested that the Examiner withdraw his objection to the claims.

REJECTIONS UNDER 35 U.S.C. § 103

The Examiner rejected claims 171-200 under 35 U.S.C. §103(a) as being unpatentable over Berg et al. (U.S. Patent 5,779,545) in view of LeStrange et al. (U.S. Patent 5,371,345).

An essential feature of present invention is that the outcome data is stored before the game is commenced. In practice, outcome data for several games is stored before the game is commenced. Accordingly, Applicant has amended the claims to more clearly define the invention over the cited art and to highlight that there is more than one stored outcome and that they are for future games. Applicant respectfully submits that such amendments, which are amply supported by the originally-filed disclosure, suitably distinguish the application over Berg et al. in view of LeStrange et al.

First, it should be appreciated that the use of a smartcard is not required by claims 171 or 185 of the present claims, but the smartcard is a particular instance (see claims 172 and 186) of a secure outcome or random number storage device, and it is connected to a communications device to receive data from a remote server. However, if a smartcard were added to a machine implementing the Berg patent, the existing communication device would still be needed - the software of that machine would take received messages from the communication device and send them to the smartcard, then later communicate with the smartcard to retrieve the outcomes. This is significantly beyond what is disclosed in Berg.

Note that the smartcard is not (necessarily) used to communicate the outcomes to the gaming machine as might be assumed from the traditional uses of smartcards. The smartcard might be captive in the machine and loaded with outcomes from the server via the machine's communications system or, alternatively the outcomes could be loaded into the smartcard remotely and then slotted into the machine.

In Berg et al., the outcome is sent to the machine after (or slightly before) the wager is made. No storing of future games is contemplated. Berg et al. does discuss buffering of seeds (col. 5, line 38) but in the context of reducing delay by using the last seed received (i.e. within the past say 250 ms). Berg et al. also contemplates the actions required when the link fails but does not envisage allowing play to continue on stored outcomes. The Berg et al. patent states that when communication with the server is lost game play is stopped (an appropriate link lost procedure will be implemented). See column 6, line 33, etc. With the invention as claimed in the present application, the stored outcomes allow continued operation.

LeStrange et al. is only relevant for its use of smartcards in a conventional manner, but does not contemplate the storing of future game outcomes.

Accordingly, Applicant respectfully disagrees with the Examiner that the Berg et al. '545 patent in combination with LeStrange et al. '345 teaches or suggests the claimed invention, as currently amended. Specifically, Applicant respectfully submits that the prior art fails to teach or reasonably suggest a method of operating a gaming system including at least one gaming console, the console including secure storage means and a user interface allowing a user to initiate a game and observe a result, the method including the steps of storing game or gamble

outcome information in the secure storage means to provide a plurality of predetermined outcomes for future games to be played on the gaming console and upon receipt of a user input initiating a game, producing a game play sequence including a game and/or gamble outcome indication determined by the game or gamble outcome information stored in the secure storage means alone or in combination with a user input, as claimed. Applicant further respectfully submits that the prior art fails to teach or reasonably suggest a gaming system including at least one gaming console, the console including secure storage means and a user interface allowing a user to initiate a game and observe a result, the system including secure storage means for storing game or gamble outcome information used by the console to provide a plurality of predetermined game or gamble outcomes for future games to be played on the gaming console and game control means in the console arranged to receive a user input initiating a game and to produce a game play sequence including a game and/or gamble outcome indication determined by the game or gamble outcome information stored in the secure storage means alone or in combination with a user input, as claimed. Applicant further respectfully submits that the prior art fails to teach or reasonably suggest a secure storage means for use in a gaming console which includes a user interface allowing a user to initiate a game and observe a result, the secure storage means being arranged to store game or gamble outcome information used by the console to provide a plurality of predetermined game or gamble outcomes for future games to be played on the gaming console, as claimed, along with a secure removable control device for use in a gaming console which includes a user interface allowing a user to initiate a game and observe a result, the control device being arranged to supply game or gamble outcome information used by the console to provide a plurality of predetermined game or gamble outcomes for future games to be played on the gaming console, as claimed.

For the foregoing reasons, reconsideration is respectfully requested.

An earnest effort has been made to be fully responsive to the Examiner's objections. In view of the above amendments and remarks, it is believed that claims 171-200, consisting of independent claims 171, 185, 197 and 200 and the claims dependent therefrom, are in condition for allowance. Passage of this case to allowance is earnestly solicited. However, if for any reason the Examiner should consider this application not to be in condition for allowance, the

Examiner is respectfully requested to telephone the undersigned attorney at the number listed below prior to issuing a further Action.

Any fee due with this paper may be charged on Deposit Account 50-1290.

Respectfully submitted,

Harris A. Wohl
Reg. No. 39,432

CUSTOMER NUMBER 026304

KATTEN MUCHIN ZAVIS ROSENMAN
575 MADISON AVENUE
NEW YORK, NEW YORK 10022-2585
PHONE: (212) 940-8800
FAX: (212) 940-8776
DOCKET NO.: 2741/FBR (031035-87549)

FAXED COPY RECEIVED

JUN 18 2003

TECHNOLOGY CENTER 3700

09/370,648
11162444.01

- 10 -